

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Criminal Case No.

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**1. PATRICK LOVE,  
2. JAMES LOVE,  
3. PATRICK EGAN,  
4. MARK DOUGLAS REILLY**

**Defendants.**

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**INDICTMENT**

18 U.S.C. §§ 371, 2, 2320, 545

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The Grand Jury charges:

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**Count 1**

(18 U.S.C. § 371)

At all times relevant to this indictment:

1. The United States Patent and Trademark Office was an agency of the United States that, among other functions, examined and registered trademarks, which were words, names, symbols, or devices intended to distinguish one producer's goods from those of

other producers and to identify the source of the goods to prevent confusion concerning the source of the goods.

2. Cisco Systems Incorporated (“Cisco”) was a company that manufactured products used in computer network systems. Cisco protected its genuine products with trademarks and patents registered with the United States Patent and Trademark Office. Cisco placed unique serial numbers on almost all of the computer hardware parts it manufactured. Cisco distributed its products through a network of suppliers called Authorized Channel Partners who signed contractual agreements with Cisco. These Authorized Channel Partners met certain requirements before they could achieve such status with Cisco. The Authorized Channel Partners received a discount on the prices of Cisco’s goods and services that ranged from 35 to 42% reduction from Cisco’s Global List Prices.

3. Cisco manufactured its products in numerous countries including China. Cisco only allowed authorized Chinese manufacturers to make its products or those products for which it owned the trademarks. Cisco distributed its products in China through a network of Authorized Channel Partners based in China.

4. For an additional fee Cisco offered an extended warranty and service coverage for its products called Smart Net. In order to receive Smart Net coverage, the ultimate end purchaser of the product purchased Smart Net through an Authorized Channel Partner who in turn registered the covered products, usually by unique serial number, with Cisco. An individual with a valid user profile and the appropriate privileges could log onto

Cisco's Service Contract Center and see whether or not a product bearing a unique serial number had Smart Net coverage.

5. From January 2004 until May 2007, Defendants owned and ran a company known as Axis Distributing Incorporated, located in Boulder Colorado. In January 2007, Axis Distributing Incorporated changed its name to AD Inc. Axis Distributing and AD Inc. sold computer hardware to retailers who sold it to the general public.

### **The Conspiracy**

6. Beginning in or around January 2004 and continuing until in or around May 2007, in the State and District of Colorado, the defendants, PATRICK LOVE, JAMES LOVE, PATRICK EGAN, and MARK DOUGLAS REILLY conspired together and with persons known and unknown to the Grand Jury to commit offenses against the United States, namely violations of Title 18 U.S.C. Section 2320, Trafficking in Counterfeit Goods or Services.

### **Means and Manner of the Conspiracy**

Defendants and the co-conspirators used the following means and methods, among others to achieve the objects of the conspiracy:

7. Defendants sold counterfeit Cisco computer hardware. They advertised that their purported Cisco products were "new in box" with the original packaging. Defendants offered their purported Cisco products at prices substantially less than those advertised by Authorized Channel Partners.

8. Defendants used suppliers who were not Cisco's Authorized Channel Partners. Instead, defendants bought counterfeit Cisco products from suppliers in China, California, and Canada including Cyberstar, Tech Point, North American Networks ("NAN"), and Network IT. Defendants paid substantially less for their counterfeit Cisco products than the standard discounts offered by Cisco to its Authorized Channel Partners.

9. Defendants sold counterfeit Cisco products that were made in China by companies that were not authorized by Cisco to make its products. Defendants only bought counterfeit products made by a small group of Chinese manufacturers to ensure that the counterfeit products were similar to what they had previously purchased, and therefore similar to the products they had already sold to their customers.

10. Defendants employed a variety of tactics to ensure that their counterfeit Cisco products appeared genuine and to avoid drawing Cisco's attention. Defendants avoided buying counterfeit Cisco products that bore serial numbers that had previously been registered by genuine Cisco purchases. Defendants sometimes asked their suppliers who had access to Smart Net to first check the serial numbers of any items defendants ordered through the Smart Net system to ensure that no legitimate buyer had already registered those specific serial numbers. Defendants also requested that their suppliers make sure that the counterfeit products they supplied defendants incorporated and accorded with changes Cisco made to its genuine products such as changes to its labels.

11. Defendants concealed their trafficking from U.S. Customs and Border Protection (“CBP”). After CBP seized shipments destined for Axis Distributing in the summer of 2005, defendants sometimes asked subsequent suppliers not to put the name Axis Distributing on shipments or to affix a false monetary value to a shipment. Defendants also sometimes asked foreign suppliers to ship counterfeit Cisco products to their personal residences, or another address in the United States, instead of to Axis Distributing.

12. Defendants sometimes received, from their suppliers, empty counterfeit Cisco boxes and counterfeit Cisco product labels separately from the counterfeit Cisco products which they could use to package their counterfeit products.

#### **Overt Acts**

13. In furtherance of the conspiracy, the defendants, within the State and District of Colorado, committed overt acts, including but not limited to the following:

a. On or about April 20, 2004, JAMES LOVE sent an advertisement to Tony Bailey via email advertising that Axis sells “new retail boxed” Cisco Inventory.

b. On or about June 17, 2005, defendants, through Axis Distributing, attempted to import Wide Area Network Internet Cards bearing counterfeit Cisco trademarks from a shipper located in Kowloon Bay, Hong Kong.

c. On or about July 14, 2005, defendants, through Axis Distributing, attempted to import Gigabit Interface Card #WS-G5483 components bearing counterfeit Cisco

trademarks from Computerneter Company, Ltd, located in the IND zone Baishixi, People's Republic of China.

d. On or about July 26, 2005, PATRICK EGAN attempted to import Gigabit Interface Cards bearing counterfeit Cisco trademarks from Pointer Link Express Company, Ltd, Kowloon Bay, Hong Kong.

e. On or about September 12, 2005, PATRICK LOVE emailed supplier Ron Sananes at Network IT, Canada, a supplier of counterfeit Cisco products, telling Sananes to make sure he got "good serial numbers."

f. On or about April 5, 2006, MARK DOUGLAS REILLY sent an invoice to NAN, a California supplier of counterfeit Cisco products, instructing the company's owner that the "serial numbers must be smartnetable" for the purported Cisco products he was purchasing.

g. In or about April-May, 2006, PATRICK LOVE telephoned Jason Hughes at Tech Point, a supplier of counterfeit Cisco product, and instructed Jason Hughes not to send him any more Cisco labeled products with duplicate serial numbers.

h. On or about August 17, 2006, PATRICK LOVE returned purported Cisco Gigabyte Line Connectors-Transceivers ("GLC-T"s) to Jason Hughes because the items did not have the correct Cisco product code on the label.

I. On or about August 24, 2006, JAMES LOVE sent an invoice to Kelly Lashley at Integrated Computer Technologies for two “Cisco” Wan Interface Cards--1st Generation Technology “WIC-ITs” which he represented to be “New in Box.”

j. On or about March 27, 2007, PATRICK EGAN and MARK DOUGLAS REILLY sent Wide Area Network Internet Cards, which they represented to be “New Cisco Retail,” to Kelly Lashley at Integrated Computer Technologies.

k. On or about May 2, 2007, MARK DOUGLAS REILLY possessed counterfeit Cisco Wide Area Network Internet Cards, counterfeit Cisco Small Form-Factor Pluggables and counterfeit Cisco Gigabit Interface Cards.

All in violation of 18 U.S.C. §371.

### **Count 2**

(18 U.S.C. § 2320(a) and §2)

On or about August 24, 2006, in the State and District of Colorado, defendants PATRICK LOVE, JAMES LOVE, PATRICK EGAN, and MARK DOUGLAS REILLY did intentionally traffic and attempt to traffic in goods, specifically counterfeit Cisco Wide Area Network Internet Cards, and did knowingly use on and in connection with such goods counterfeit marks, to wit, spurious marks identical to and substantially indistinguishable from the genuine marks found on Cisco Wide Area Network Internet Cards which marks were in use and registered for these Wide Area Network Internet

Cards by Cisco on the principal register of the United States Patent and Trademark Office, knowing that the use of such counterfeit marks was likely to cause confusion, to cause mistake and to deceive.

In violation of 18 U.S.C. § 2320(a) and §2.

**Count 3**

(18 U.S.C. § 2320(a) and §2)

On or about December 5, 2006, in the State and District of Colorado, defendants PATRICK LOVE, JAMES LOVE, PATRICK EGAN, and MARK DOUGLAS REILLY did intentionally traffic and attempt to traffic in goods, specifically a counterfeit Cisco GLC-ZX-SM transceiver, and did knowingly use on and in connection with such goods counterfeit marks, to wit, spurious marks identical to and substantially indistinguishable from the genuine marks found on a Cisco GLC-ZX-SM transceiver, which marks were in use and registered for this GLC-ZX-SM transceiver by Cisco on the principal register of the United States Patent and Trademark Office, knowing that the use of such counterfeit marks was likely to cause confusion, to cause mistake and to deceive.

In violation of 18 U.S.C. § 2320(a) and §2.

**Count 4**

(18 U.S.C. § 2320(a) and §2)

On or about March 27, 2007, in the State and District of Colorado, defendants PATRICK LOVE, JAMES LOVE, PATRICK EGAN, and MARK DOUGLAS REILLY



did intentionally traffic and attempt to traffic in goods, specifically counterfeit Cisco Wide Area Network Internet Cards and did knowingly use on and in connection with such goods counterfeit marks, to wit, spurious marks identical to and substantially indistinguishable from the genuine marks found on Cisco Wide Area Network Internet Cards, which marks were in use and registered for these Wide Area Network Internet Cards by Cisco on the principal register of the United States Patent and Trademark Office, knowing that the use of such counterfeit marks was likely to cause confusion, to cause mistake and to deceive.

In violation of 18 U.S.C. § 2320(a) and §2.

**Count 5**

(18 U.S.C. § 2320(a) and §2)

On or about May 2, 2007, in the State and District of Colorado, defendants PATRICK EGAN and MARK DOUGLAS REILLY did intentionally traffic and attempt to traffic in goods, specifically counterfeit Cisco Gigabit Interface Cards, and did knowingly use on and in connection with such goods counterfeit marks, to wit, spurious marks identical to and substantially indistinguishable from the genuine marks found on Cisco Gigabit Interface Cards which marks were in use and registered for these parts by Cisco on the principal register of the United States Patent and Trademark Office, knowing that the use of such counterfeit marks was likely to cause confusion, to cause mistake and to deceive.

In violation of 18 U.S.C. § 2320(a) and §2.

**COUNT 6**

(18 U.S.C. § 2320(a) and §2)

On or about May 2, 2007, in the State and District of Colorado, defendants PATRICK EGAN and MARK DOUGLAS REILLY did intentionally traffic and attempt to traffic in goods, specifically counterfeit Cisco Small Form-Factor Pluggables, and did knowingly use on and in connection with such goods counterfeit marks, to wit, spurious marks identical to and substantially indistinguishable from the genuine marks found on Small Form-Factor Pluggables which marks were in use and registered for these parts by Cisco on the principal register of the United States Patent and Trademark Office, knowing that the use of such counterfeit marks was likely to cause confusion, to cause mistake and to deceive.

In violation of 18 U.S.C. § 2320(a) and §2.

**COUNT 7**

(18 U.S.C. § 2320(a) and §2)

On or about May 2, 2007, in the State and District of Colorado, defendants PATRICK EGAN and MARK DOUGLAS REILLY did intentionally traffic and attempt to traffic in goods, specifically counterfeit Cisco Voice Wide Area Network Internet Cards, and did knowingly use on and in connection with such goods counterfeit marks, to wit, spurious marks identical to and substantially indistinguishable from the genuine

marks found on Voice Wide Area Network Internet Cards which marks were in use and registered for these parts by Cisco on the principal register of the United States Patent and Trademark Office, knowing that the use of such counterfeit marks was likely to cause confusion, to cause mistake and to deceive.

In violation of 18 U.S.C. § 2320(a) and §2.

**COUNT 8**

(18 U.S.C. § 2320(a) and §2)

On or about May 2, 2007, in the State and District of Colorado, defendants PATRICK EGAN and MARK DOUGLAS REILLY did intentionally traffic and attempt to traffic in goods, specifically counterfeit Cisco Wide Area Network Internet Cards, and did knowingly use on and in connection with such goods counterfeit marks, to wit, spurious marks identical to and substantially indistinguishable from the genuine marks found on Wide Area Network Internet Cards which marks were in use and registered for these parts by Cisco on the principal register of the United States Patent and Trademark Office, knowing that the use of such counterfeit marks was likely to cause confusion, to cause mistake and to deceive.

In violation of 18 U.S.C. § 2320(a) and §2.

**COUNT 9**

(18 U.S.C. § 545 and §2)

\_\_\_\_\_ On or about August 11, 2005, in the State and District of Colorado, defendants PATRICK LOVE, JAMES LOVE, PATRICK EGAN, and MARK DOUGLAS REILLY did fraudulently and knowingly import and bring into the United States merchandise, and received, concealed, bought, sold and in any manner facilitated the transportation, concealment and sale of merchandise after importation, knowing the same to have been imported or brought into the United States contrary to law, to wit: computer hardware bearing copied and simulated Cisco trademarks in violation of Title 15, United States Code, Section 1124.

In violation of 18 U.S.C. § 545 and §2.

**COUNT 10**

(18 U.S.C. § 545 and §2)

\_\_\_\_\_ On or about September 9, 2005, in the State and District of Colorado, defendants PATRICK LOVE, JAMES LOVE, PATRICK EGAN, and MARK DOUGLAS REILLY did fraudulently and knowingly import and bring into the United States merchandise, and received, concealed, bought, sold and in any manner facilitated the transportation, concealment and sale of merchandise after importation, knowing the same to have been imported or brought into the United States contrary to law, to wit: computer hardware

bearing copied and simulated Cisco trademarks in violation of Title 15, United States Code, Section 1124.

In violation of 18 U.S.C. § 545 and §2.

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**COUNT 11**

(18 U.S.C. § 545 and §2)

\_\_\_\_\_ On or about September 15, 2005, in the State and District of Colorado, defendants PATRICK LOVE, JAMES LOVE, PATRICK EGAN, and MARK DOUGLAS REILLY did fraudulently and knowingly import and bring into the United States merchandise, and received, concealed, bought, sold and in any manner facilitated the transportation, concealment and sale of merchandise after importation, knowing the same to have been imported or brought into the United States contrary to law, to wit: computer hardware bearing copied and simulated Cisco trademarks in violation of Title 15, United States Code, Section 1124.

In violation of 18 U.S.C. § 545 and §2.

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**COUNT 12**

(18 U.S.C. § 545 and §2)

\_\_\_\_\_ On or about October 7, 2005, in the State and District of Colorado, defendants PATRICK LOVE, JAMES LOVE, PATRICK EGAN, and MARK DOUGLAS REILLY did fraudulently and knowingly import and bring into the United States merchandise, and

received, concealed, bought, sold and in any manner facilitated the transportation, concealment and sale of merchandise after importation, knowing the same to have been imported or brought into the United States contrary to law, to wit: computer hardware bearing copied and simulated Cisco trademarks in violation of Title 15, United States Code, Section 1124.

In violation of 18 U.S.C. § 545 and §2.

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**COUNT 13**

(18 U.S.C. § 545 and §2)

\_\_\_\_\_ On or about November 11, 2005, in the State and District of Colorado, defendants PATRICK LOVE, JAMES LOVE, PATRICK EGAN, and MARK DOUGLAS REILLY did fraudulently and knowingly import and bring into the United States merchandise, and received, concealed, bought, sold and in any manner facilitated the transportation, concealment and sale of merchandise after importation, knowing the same to have been imported or brought into the United States contrary to law, to wit: computer hardware bearing copied and simulated Cisco trademarks in violation of Title 15, United States Code, Section 1124.

In violation of 18 U.S.C. § 545 and §2.

## **NOTICE OF FORFEITURE**

1. The allegations contained in Counts 1 through 8 of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to the provisions of Title 18 United States Code, Section 2323.

2. Upon conviction of the violations alleged in Counts 1 through 8 of this Indictment involving violations of Title 18 United States Code, Section 2320, Title 18 United States Code, Section 371, and Title 18 United States Code, Section 2, Trafficking in Counterfeit Goods or Services, Conspiracy, and Aiding and Abetting, the defendants PATRICK LOVE, JAMES LOVE, PATRICK EGAN AND MARK DOUGLAS REILLY shall forfeit to the United States, pursuant to Title 18, United States Code, Section 2323, any article, the making or trafficking of which is prohibited by Title 18, United States Code, Section 2320, any property real or personal, which constitutes or is derived from proceeds traceable to said violations, and any property used, or intended to be used, in any manner or part to commit, or to facilitate the commission of the offense, including but not limited to the following:

### **COUNTERFEIT CISCO GOODS/FACILITATING PROPERTY**

a. All goods found to infringe upon Cisco trademarks, including but not limited to those already seized, and any and all property used to facilitate the commission of the violation above.

MONEY JUDGMENT

b. A money judgment in the amount of \$4,000,000.00 as proceeds obtained by the conspiracy or scheme and by the defendants, for which the defendants are joint and severally liable.

3. The allegations contained in Counts 9 through 13 of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to the provisions of Title 18 United States Code, Section 982(a)(2).

4. Upon conviction of the violations alleged in Counts 9 through 13 of this Indictment involving Title 18 United States Code, Section 545 (smuggling), the defendants, PATRICK LOVE, JAMES LOVE, PATRICK EGAN AND MARK DOUGLAS REILLY shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(B) any merchandise introduced into the United States in violation of Title 18 United States Code, Section 545, or the value thereof, any property constituting, or derived from, proceeds defendants obtained directly or indirectly as the result of such violations, including but no limited to the following:

5. A money judgment in the amount of \$381,909.00 as proceeds obtained by the conspiracy or scheme and by the defendants, for which the defendants are joint and severally liable.

6. If any of the property described above, as a result of any act or omission of the defendants:



- a) cannot be located upon the exercise of due diligence;
- b) has been transferred or sold to, or deposited with, a third party;
- c) has been placed beyond the jurisdiction of the Court;
- d) has been substantially diminished in value; or
- e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), incorporated by Title 18, United States Code, Section 2323(b)(2)(A) and Title 18, United States Code, Section 982(b), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property.

A TRUE BILL

Ink signature on file in the Clerk's Office  
FOREPERSON

DAVID M. GAOUETTE  
UNITED STATES ATTORNEY

s/ Suneeta Hazra  
By: SUNEETA HAZRA  
Assistant U.S. Attorney  
1225 - 17<sup>th</sup> Street, Suite 700  
Denver, CO 80202

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E-mail: [suneeta.hazra@usdoj.gov](mailto:suneeta.hazra@usdoj.gov)

(Rev. 04/07)

DEFENDANT: Patrick Love

YOB: 1966

ADDRESS (CITY/STATE): Boulder County, CO

COMPLAINT FILED? \_\_\_\_\_ YES X NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: \_\_\_\_\_

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? \_\_\_\_\_ YES X NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: Count 1: 18 U.S.C. Section 371 (conspiracy),  
Counts 2-5: 18 U.S.C. Section 2320(a) (trafficking in counterfeit goods),  
Counts 9-13: 18 U.S.C. 545 (Smuggling)

LOCATION OF OFFENSE (COUNTY/STATE): Boulder County, CO

PENALTY: Count 1: 18 U.S.C. § 371 (conspiracy) : NMT 5 years imprisonment, \$250,000  
fine or both, NMT 3 years supervised release;  
Counts 2-5: 18 U.S.C. Section 2320(a) (trafficking in counterfeit goods) NMT 10  
years imprisonment, \$2,000,000 fine or both, NMT 3 years supervised release;  
Counts 9-13: 18 U.S.C. 545 (Smuggling) NMT 20 years imprisonment, \$250,000  
fine or both, NMT 3 years supervised release

AGENT: John Gedney, FBI

AUTHORIZED BY: Suneeta Hazra Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

\_\_\_\_\_ five days or less X over five days \_\_\_\_\_ other

THE GOVERNMENT

\_\_\_\_\_ will seek detention in this case \_\_\_\_\_ will **not** seek detention in this case

The statutory presumption of detention **is** or **is not** applicable to this defendant. **(Circle one)**

OCDETF CASE: \_\_\_\_\_ Yes \_\_\_\_\_ No

(Rev. 04/07)

DEFENDANT: James Love

YOB: 1958

ADDRESS (CITY/STATE): Boulder County, CO

COMPLAINT FILED? \_\_\_\_\_ YES X NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: \_\_\_\_\_

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? \_\_\_\_\_ YES X NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: Count 1: 18 U.S.C. Section 371 (conspiracy),  
Counts 2-4: 18 U.S.C. Section 2320(a) (trafficking in counterfeit goods),  
Counts 9-13: 18 U.S.C. 545 (Smuggling)

LOCATION OF OFFENSE (COUNTY/STATE): Boulder County, CO

PENALTY: Count 1: 18 U.S.C. § 371 (conspiracy) : NMT 5 years imprisonment, \$250,000  
fine or both, NMT 3 years supervised release;  
Counts 2-4: 18 U.S.C. Section 2320(a) (trafficking in counterfeit goods) NMT 10  
years imprisonment, \$2,000,000 fine or both, NMT 3 years supervised release;  
Counts 9-13: 18 U.S.C. 545 (Smuggling) NMT 20 years imprisonment, \$250,000  
fine or both, NMT 3 years supervised release

AGENT: John Gedney, FBI

AUTHORIZED BY: Suneeta Hazra Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

\_\_\_\_\_ five days or less X over five days \_\_\_\_\_ other

THE GOVERNMENT

\_\_\_\_\_ will seek detention in this case \_\_\_\_\_ will **not** seek detention in this case

The statutory presumption of detention **is** or **is not** applicable to this defendant. **(Circle one)**

OCDETF CASE: \_\_\_\_\_ Yes \_\_\_\_\_ No

(Rev. 04/07)

DEFENDANT: Patrick Egan

YOB: 1965

ADDRESS (CITY/STATE): Boulder County, CO

COMPLAINT FILED? \_\_\_\_\_ YES X NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: \_\_\_\_\_

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? \_\_\_\_\_ YES X NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: Count 1: 18 U.S.C. Section 371 (conspiracy),  
Counts 2-8: 18 U.S.C. Section 2320(a) (trafficking in counterfeit goods),  
Counts 9-13: 18 U.S.C. 545 (Smuggling)

LOCATION OF OFFENSE (COUNTY/STATE): Boulder County, CO

PENALTY: Count 1: 18 U.S.C. § 371 (conspiracy) : NMT 5 years imprisonment, \$250,000  
fine or both, NMT 3 years supervised release;  
Counts 2-8: 18 U.S.C. Section 2320(a) (trafficking in counterfeit goods) NMT 10  
years imprisonment, \$2,000,000 fine or both, NMT 3 years supervised release;  
Counts 9-13: 18 U.S.C. 545 (Smuggling) NMT 20 years imprisonment, \$250,000  
fine or both, NMT 3 years supervised release

AGENT: John Gedney, FBI

AUTHORIZED BY: Suneeta Hazra Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

\_\_\_\_\_ five days or less X over five days \_\_\_\_\_ other

THE GOVERNMENT

\_\_\_\_\_ will seek detention in this case \_\_\_\_\_ will **not** seek detention in this case

The statutory presumption of detention **is** or **is not** applicable to this defendant. **(Circle one)**

OCDETF CASE: \_\_\_\_\_ Yes \_\_\_\_\_ No

(Rev. 04/07)

DEFENDANT: Mark Douglas Reilly

YOB: 1966

ADDRESS (CITY/STATE): Boulder County, CO

COMPLAINT FILED? \_\_\_\_\_ YES X NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: \_\_\_\_\_

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? \_\_\_\_\_ YES X NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: Count 1: 18 U.S.C. Section 371 (conspiracy),  
Counts 2-8: 18 U.S.C. Section 2320(a) (trafficking in counterfeit goods),  
Counts 9-13: 18 U.S.C. 545 (Smuggling)

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fine or both, NMT 3 years supervised release;  
Counts 2-8: 18 U.S.C. Section 2320(a) (trafficking in counterfeit goods) NMT 10  
years imprisonment, \$2,000,000 fine or both, NMT 3 years supervised release;  
Counts 9-13: 18 U.S.C. 545 (Smuggling) NMT 20 years imprisonment, \$250,000  
fine or both, NMT 3 years supervised release

AGENT: John Gedney, FBI

AUTHORIZED BY: Suneeta Hazra Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

\_\_\_\_\_ five days or less X over five days \_\_\_\_\_ other

THE GOVERNMENT

\_\_\_\_\_ will seek detention in this case \_\_\_\_\_ will **not** seek detention in this case

The statutory presumption of detention **is** or **is not** applicable to this defendant. **(Circle one)**

OCDETF CASE: \_\_\_\_\_ Yes \_\_\_\_\_ No